

### **REMARKS**

Claims 1, 4-7 and 9-20 are pending in the present application. Reconsideration in view of the following remarks is kindly requested.

#### **Summary of Examiner Interview**

Initially, Applicants wish to thank Examiner's Tran and Ton for their time at the interview of April 25, 2005, the contents of which are summarized below.

At the Interview, Applicants' representative provided a summary of prosecution. Additionally, Applicant's representative presented a draft Rule 1.131 Declaration to swear behind the Alperovich et al. patent (USP 6,317,609). The Examiner indicated that such a Declaration, if entered, would remove Alperovich et al. as prior art and hence would necessitate a new search.

#### **Claim Rejections**

Claims 1-7, 9-15 and 18-20 stand rejected under 35 USC §102(e) as allegedly being anticipated by Alperovich et al. (USP 6,317,609). Although Applicant does not admit that Alperovich et al. is relevant to any of claims 1-7, 9-15 and 18-20, Applicant attaches a Rule 1.131 Declaration and Exhibit A to antedate Alperovich et al., thereby removing Alperovich et al. as prior art, in an effort to expedite prosecution of the present application. Accordingly, an indication that claims 1-7, 9-15 and 18-20 are allowable is kindly requested.

Claims 4-6, 16 and 17 stand rejected under 35 USC §102(e) as allegedly being unpatentable over Alperovich et al. in view of Forslow (USP 6,608,832). Although Applicant does not admit that Alperovich et al., singly or in combination with Forslow, is relevant to any of claims 4-6, 16 and 17, the attached Rule 1.131 Declaration removes Alperovich et al. as prior art. Hence, the rejection is now moot. Accordingly, an indication that claims 4-6, 16 and 17 are allowable is kindly requested.

### **CONCLUSION**

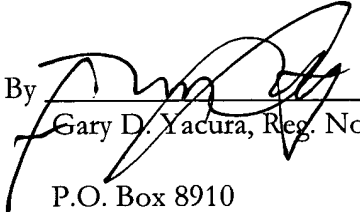
Accordingly, in view of the above remarks, reconsideration of the rejections and allowance of each of claims 1, 4-7 and 9-20 is earnestly solicited.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is kindly requested to contact Matthew J. Lattig at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKEY, & PIERCE, P.L.C.

By  45,224  
Gary D. Yacura, Reg. No. 35,416  
P.O. Box 8910  
Reston, Virginia 20195  
(703) 668-8000

GDY/MJL: